

**STANDARD APPLICATION**  
**Harford County**  
**Board of Appeals**  
Bel Air, Maryland 21014

Case No. 3401  
Date Filed 2-3-04  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$50.00

*Shaded Areas for Office Use Only*

Type of Application	Nature of Request and Section(s) of Code
<input type="checkbox"/> Administrative Decision/Interpretation	CASE 5401 MAP 49 TYPE Variance
<input type="checkbox"/> Special Exception	ELECTION DISTRICT 3 LOCATION 808 May Court, Bel Air, Md. 21014
<input type="checkbox"/> Use Variance	BY Michael J. and Linda H. Milano
<input type="checkbox"/> Change/Extension of Non-Conforming Use	
<input type="checkbox"/> Minor Area Variance	Appealed because a variance pursuant to Section 267-36B, Table V of the Harford County Code
<input type="checkbox"/> Area Variance	to allow a sunroom within the required 30 foot total side yard setback in a R2 District requires approval
<input type="checkbox"/> Variance from Requirements of the Code	by the Board.
<input type="checkbox"/> Zoning Map/Drafting Correction	

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Applicant/Owner (please print or type)**

Name Michael J. Milano Phone Number 410-843-2297  
Address 808 May Ct. Bel Air MD. 21014  
*Street Number Street City State Zip Code*

Co-Applicant Linda H. Milano Phone Number 410-843-2297  
Address 808 May Ct. Bel Air MD. 21014  
*Street Number Street City State Zip Code*

Contract Purchaser \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
*Street Number Street City State Zip Code*

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
*Street Number Street City State Zip Code*

## Land Description

Address and Location of Property 808 May Ct  
Bel Air, Maryland

Subdivision Oakridge Lot Number 100

Acreage/Lot Size 76' X 150' Election District 03 Zoning R2

Tax Map No. 0049 Grid No. 0001C Parcel 0862 Water/Sewer: Private \_\_\_\_\_ Public ☒

List ALL structures on property and current use: family home - residence  
2-story colonial

Estimated time required to present case: 20 minutes

If this Appeal is in reference to a Building Permit, state number \_\_\_\_\_

Would approval of this petition violate the covenants and restrictions for your property? no

Is this property located within the County's Chesapeake Bay Critical Area? Yes \_\_\_\_\_ No ☒

If so, what is the Critical Area Land Use designations: \_\_\_\_\_

Is this request the result of a zoning enforcement investigation? Yes \_\_\_\_\_ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes ☒ No \_\_\_\_\_

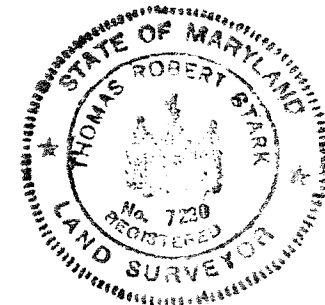
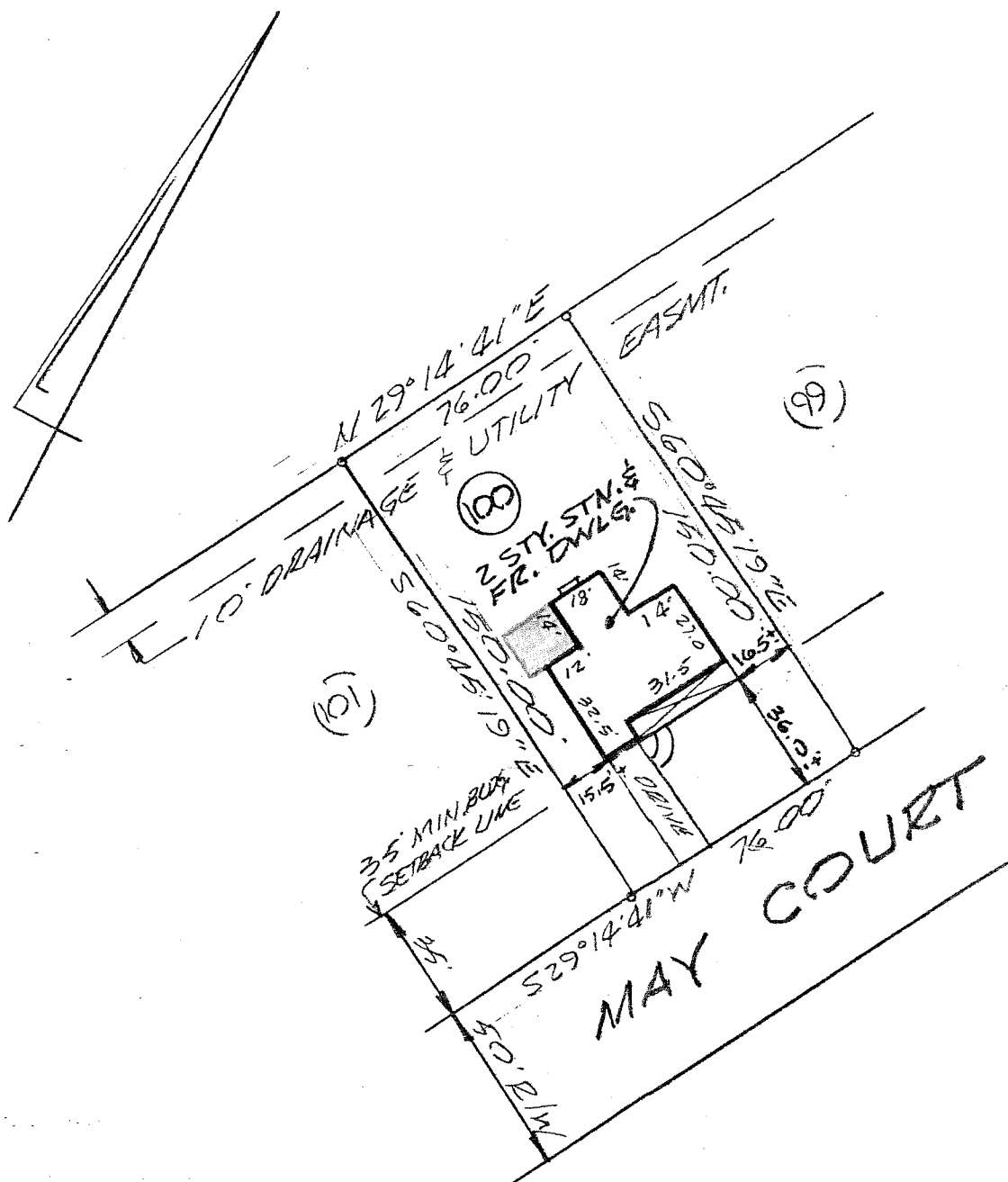
## Request

We are asking for a 3' minor variance of the  
30' combined setback to construct a  
14' x 17' sunroom addition. This would result  
in a 10 1/2' setback from the property <sup>line</sup> after  
construction is completed.

## Justification

present location of bilko doors and chimney  
prevent expansion in those 2 areas. slope of  
the backyard also hinders construction. construction  
of sunroom in this area will be the most architecturally  
and aesthetically pleasing to the home and neighborhood

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*



# CERTIFICATE

THE INFORMATION ON THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS INDICATED HEREON ARE LOCATED AS SHOWN WITHIN THE OUTLINES OF THE LOT UPON WHICH THEY ARE ERECTED AND IS NOT TO BE CONSTRUED AS AN ESTABLISHMENT OF PROPERTY LINES.

*Thomas R. Stark*  
REG. LAND SURVEYOR NO. 7230

PLAT BOOK REF: 50/26

LOCATION OF EXISTING IMPROVEMENTS

LOT 100 PLAT TWO SECTION THREE

OAK RIDGE

LOCATED: 808 MAY COURT

THIRD ELECTION DISTRICT

HARFORD COUNTY, MARYLAND



**T. R. STARK & ASSOCIATES, INC.**  
LAND SURVEYORS

2003 GAIWAY ROAD • FOREST HILL, MD 21059

DR BY:	T.R.S.	CHK BY:	T.R.S.
DATE		SCALE	FILE NO.

**JAMES M. HARKINS**

HARFORD COUNTY EXECUTIVE

**JOHN J. O'NEILL, JR.**  
DIRECTOR OF ADMINISTRATION



**J. STEVEN KAH-ZIEGLER**  
DIRECTOR OF PLANNING & ZONING

## **HARFORD COUNTY GOVERNMENT**

### **Department of Planning and Zoning**

February 17, 2004

#### **STAFF REPORT**

#### **BOARD OF APPEALS CASE NO. 5401**

APPLICANT/OWNER: Michael J. Milano  
808 May Court, Bel Air, Maryland 21014

Co-APPLICANT/OWNER: Linda H. Milano  
808 May Court, Bel Air, Maryland 21014

REPRESENTATIVE: Applicants

LOCATION: 808 May Court/Oakridge  
Tax Map: 49 / Grid: 1C / Parcel: 862 / Lot: 100  
Election District: Third (3)

ACREAGE: 0.26 acres

ZONING: R2/Urban Residential District

DATE FILED: February 3, 2004

HEARING DATE: March 17, 2004

#### **APPLICANTS' REQUEST and JUSTIFICATION:**

##### Request:

"We are asking for a 3' minor variance of the 30' combined setback to construct a 14' x 17' sunroom addition. This would result in a 10 ½' setback from the property line after construction is completed."

*Preserving our values, protecting our future*

## STAFF REPORT

Board of Appeals Case Number 5401

Michael & Linda Milano

Page 2 of 4

### Justification:

“Present location of bilko doors and chimney prevent expansion in those 2 areas. Slope of the backyard also hinders construction. Construction of the sunroom in this area will be the most architecturally and aesthetically pleasing to the home and neighborhood.”

### **CODE REQUIREMENTS:**

The Applicants are requesting a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a sunroom within the required 30-foot total side yard setback in an R2/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table V of the Harford County Code (Attachment 1).

### **LAND USE and ZONING ANALYSIS:**

#### Land Use – Master Plan:

The Applicants' property is located in the Oakridge development. It is situated west of Malkus Way, on the north side of May Court. A location map and a copy of the Applicants' site plan are enclosed with the report (Attachments 2 and 3).

The Applicants' property is located within the Development Envelope. The land use designations in the area range from Low to High Intensities. The Natural Features Map reflects parks and stream buffer systems. The subject property is located in an area of Low Intensity, which is defined by the 1996 Master Plan as:

**Low Intensity** – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices and banks are example of some of the nonresidential uses associated with this designation.

Enclosed with the report are copies of portions of the 1996 Land Use Map and the Natural Features Map (Attachments 4 and 5).

#### Land Use – Existing:

The existing land uses in this area of the County conform to the overall intent of the Master Plan. Residential uses include single-family dwellings, townhouses and condominiums. Other land uses include schools, churches and public parks. Commercial uses are primarily within the Town Limits of Bel Air and along Churchville Road (MD Route 22). Enclosed with the report is a copy of the aerial photograph (Attachment 6).

## STAFF REPORT

Board of Appeals Case Number 5401

Michael & Linda Milano

Page 3 of 4

The subject lot is rectangular in shape, approximately 0.26 acres in size and located on the north side of May Court. The improvements include a single-family two-story dwelling with an attached two-car garage, concrete driveway, a one-story room extension with a fireplace on the rear of the dwelling and bilko doors leading to the basement. The deck has been removed in anticipation of the proposed sunroom. The lot slopes up from the road to the front of the dwelling and then levels off approximately 10-feet beyond the room extension. It is at this point that the lot sharply rises upward to the lots to the rear that front on Shamrock Road (Attachment 7). The lot is nicely landscaped with large mature trees and shrubbery. There are large pine trees and shrubbery across the rear and the right side property line that adequately screen the existing uses. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 8 and 9).

### Zoning:

The existing zoning conforms to the intent of the 1996 Master Plan as well as the existing land uses. Residential zoning includes R1 to R4/Urban Residential Districts. Commercial zoning is primarily along Churchville Road and includes B1/Neighborhood Business and B2/Community Business Districts. The subject property is zoned R2/Urban Residential District as shown on the enclosed copy of the zoning map (Attachment 10).

### SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a sunroom within the required 30-foot total side yard setback in an R2/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicants must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Applicants are proposing to construct a sunroom addition to the left and rear side of the dwelling that will blend in with the existing rooflines. The sunroom will abut the existing family room extension, which is approximately 14-feet in depth out from the house, and then extend across the rear of the dwelling for a distance of 17-feet. This will mean the sunroom will be approximately 10.5-feet from the side yard property line as shown on the Applicants' site plan. The Applicants state that the room could not easily be placed across the rear of the house or to the east side because of the existing chimney and bilko doors leading to the basement.

Due to the topography within the rear yard and the existing improvements, the Applicants are limited to the location of any proposed additions and accessory structures. The existing trees and

STAFF REPORT

Board of Appeals Case Number 5401


Michael & Linda Milano

Page 4 of 4

shrubby will provide adequate screening to adjacent properties. The proposed sunroom is consistent with other structures in the neighborhood.

**RECOMMENDATION and or SUGGESTED CONDITIONS:**

The Department of Planning and Zoning recommends that the requested variance be approved subject to the Applicants obtaining all necessary permits and inspections for the addition.

  
\_\_\_\_\_  
Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review

  
\_\_\_\_\_  
Anthony S. McClune, AICP  
Deputy Director, Planning and Zoning

DJS/ASM/ka